

REMARKS

Applicants request reconsideration and reexamination of the above-identified application in view of the Applicant's response to Election/Restrictions.

The Examiner states that the application contains claims directed to the following patentably distinct species of the claimed invention:

Embodiment 1 - Claims 1-3, and 6-8; and

Embodiment 2 - Claim 4.

The Examiner states that Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Therefore, Applicants elect Embodiment 1, Claims 1-3 and 6-8, drawn to a noise elimination device, classified in class 336, subclass 82, for examination.

However, notwithstanding the above election, Applicants request that the Examiner reconsider the examination of Claim 4 (Embodiment 2) which is a method claim closely related to the

elected Embodiment 1. Restricting one claim that is closely related to the elected claims delays the advancement of the examination and all the claims to a final action and places an unreasonable financial hardship on the Applicants without any specific showing of a serious burden on the examiner if the restriction is not made.

In view of the above, Applicants believe that Claims 1-3, and 6-8, are patentable and in condition for allowance. Accordingly, Applicants respectfully request reconsideration of the application and examination of the claims, and that the case be sent to issue.

If there are any questions, we urge the Examiner to call us. Please charge any costs in connection with this document to our Deposit Account No. 16-0875.

Respectfully Submitted,

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By

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